

TENTATIVE TRAVEL AND MEETING PLANS

Week of

January 24 - meet with Ravalli county court-appointed counsel and/or Missoula city pds
meet with Ali Bovingdon re: transition of public defenders
meet with Chris Tweeten re: contracted services
meet with Garrett Bacon
visit Great Falls public defender office (2d visit)

January 31 - various small trips

February 7 - visit Region 6

February 11 - provide Commission with proposals for Region 8 and 9

February 14 - visit Region 7

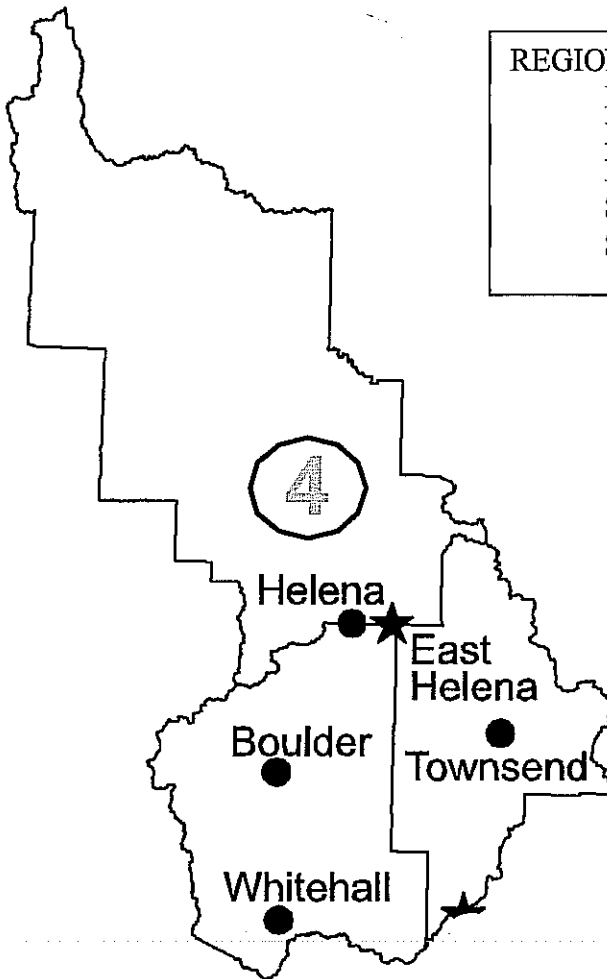
February 18 - provide Commission with proposal for Region 2 and 3

February 21 - visit Region 1

February 28 - visit Region 10 and 11

March 4 - provide Commission with proposal for Region 6 and 11

March 11- provide Commission with proposal for Region 1, 7 and 10

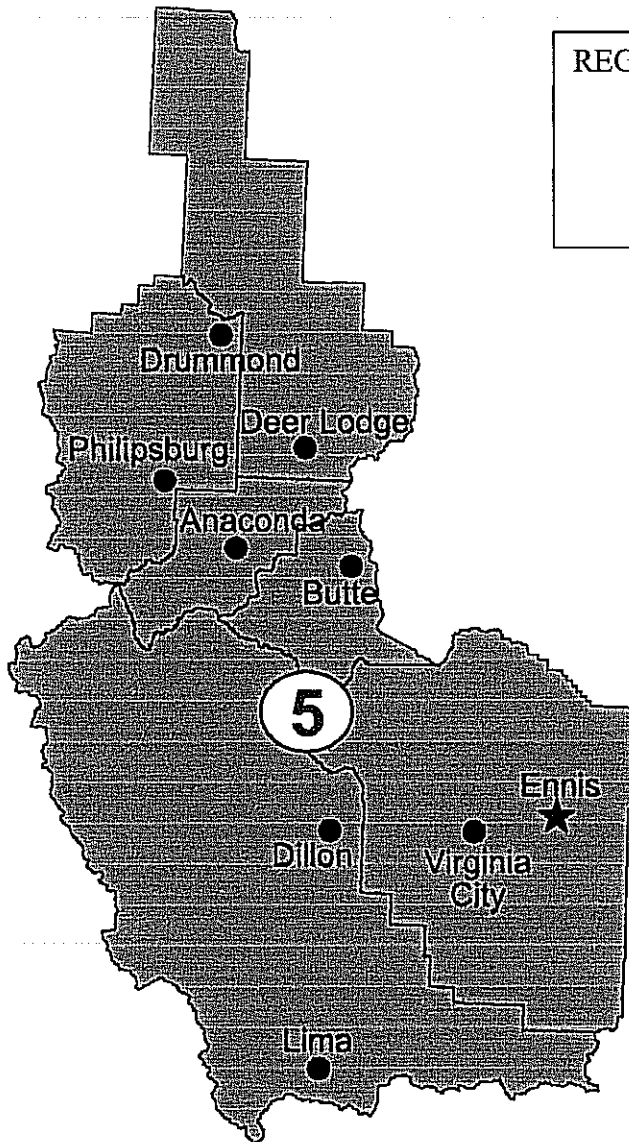


REGIONAL OFFICE – Helena
 Regional Public Defender
 Investigator
 Researcher, Brief Writer
 Sex Offender Evaluator
 Support Person

Public Defender Office – Helena
 (District Court, Justice Court, Helena City Court, East Helena City Court)
 5 Attorneys
 1 Paralegal
 2 Legal Secretaries

Broadwater County
 (District Court, Justice Court and Townsend City Court)
 1 Contracted Attorney

Jefferson County
 (District Court, Justice Court, Boulder and Whitehall City Courts)
 Satellite Public Defender Office – Boulder
 1 Attorney
 1 Legal Secretary



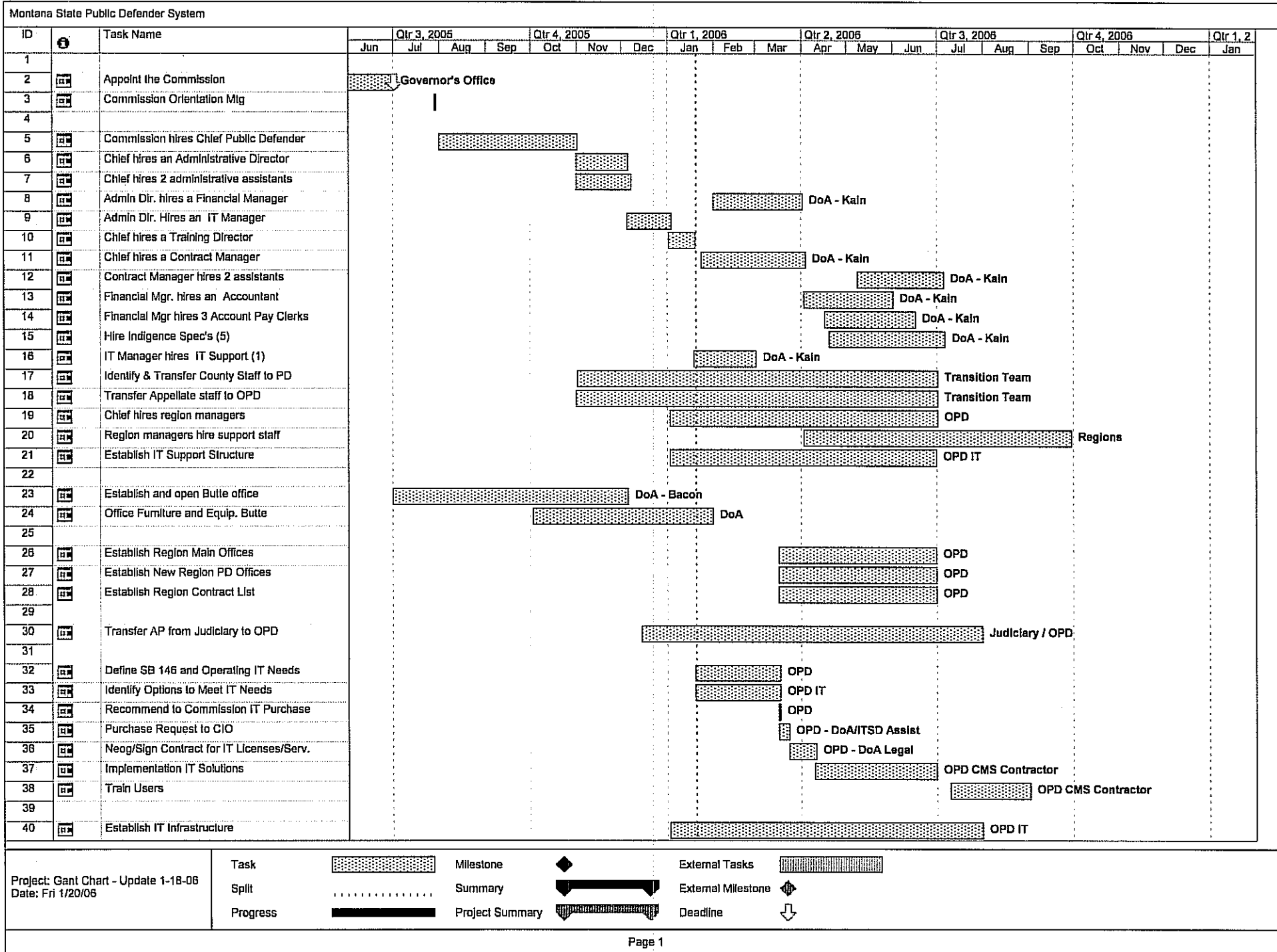
REGIONAL OFFICE – Butte
 Regional Public Defender
 1 Attorney
 Investigator
 Support Person

Public Defender Office – Butte
 (District Court, Justice Court, Butte City Court)
 3 Attorneys
 1 Paralegal
 ½ Legal Secretary

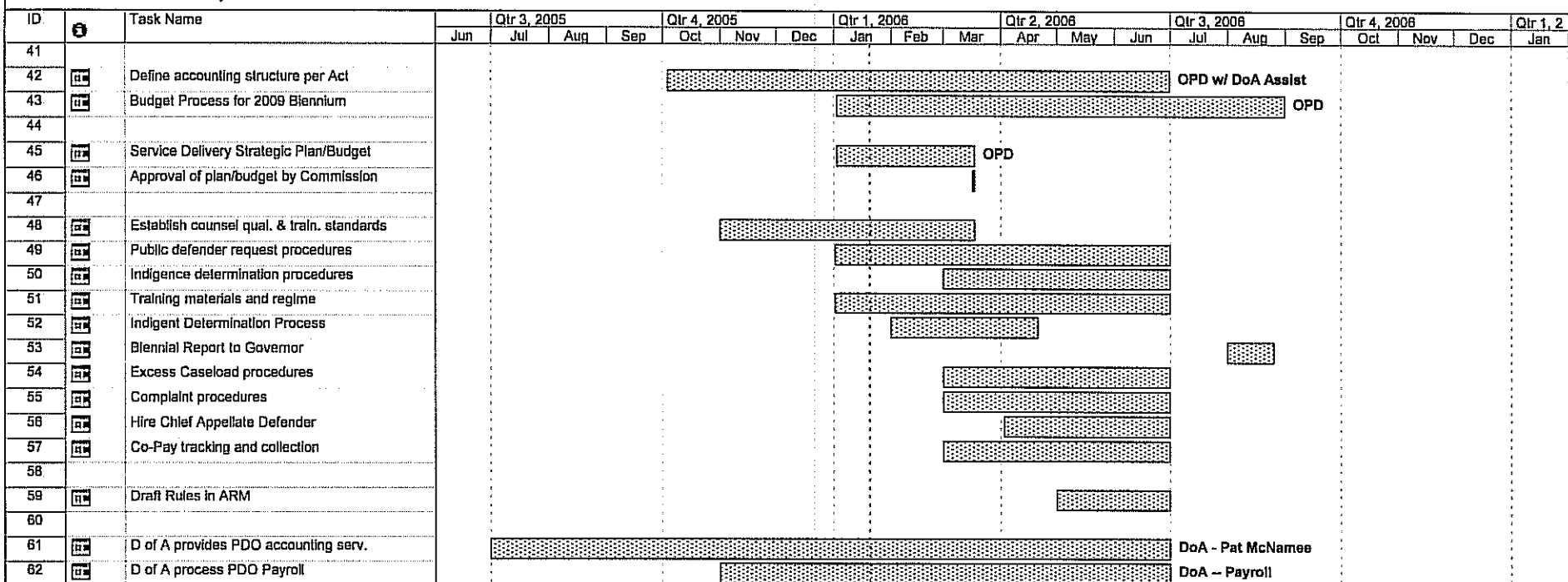
Public Defender Office – Anaconda
 (Deer Lodge, Powell, Granite County District Courts, Justice/City Courts)
 2 Attorneys
 1 Paralegal

Beaverhead County
 (District Court, Justice and City Courts)
 1 Contracted Attorney

Madison County
 (District Court, Justice and City Courts)
 1 Contracted Attorney



Montana State Public Defender System



Project: Gant Chart - Update 1-18-06
Date: Fri 1/20/06

Task



Milestone



External Tasks



Split



Summary



External Milestone



Progress

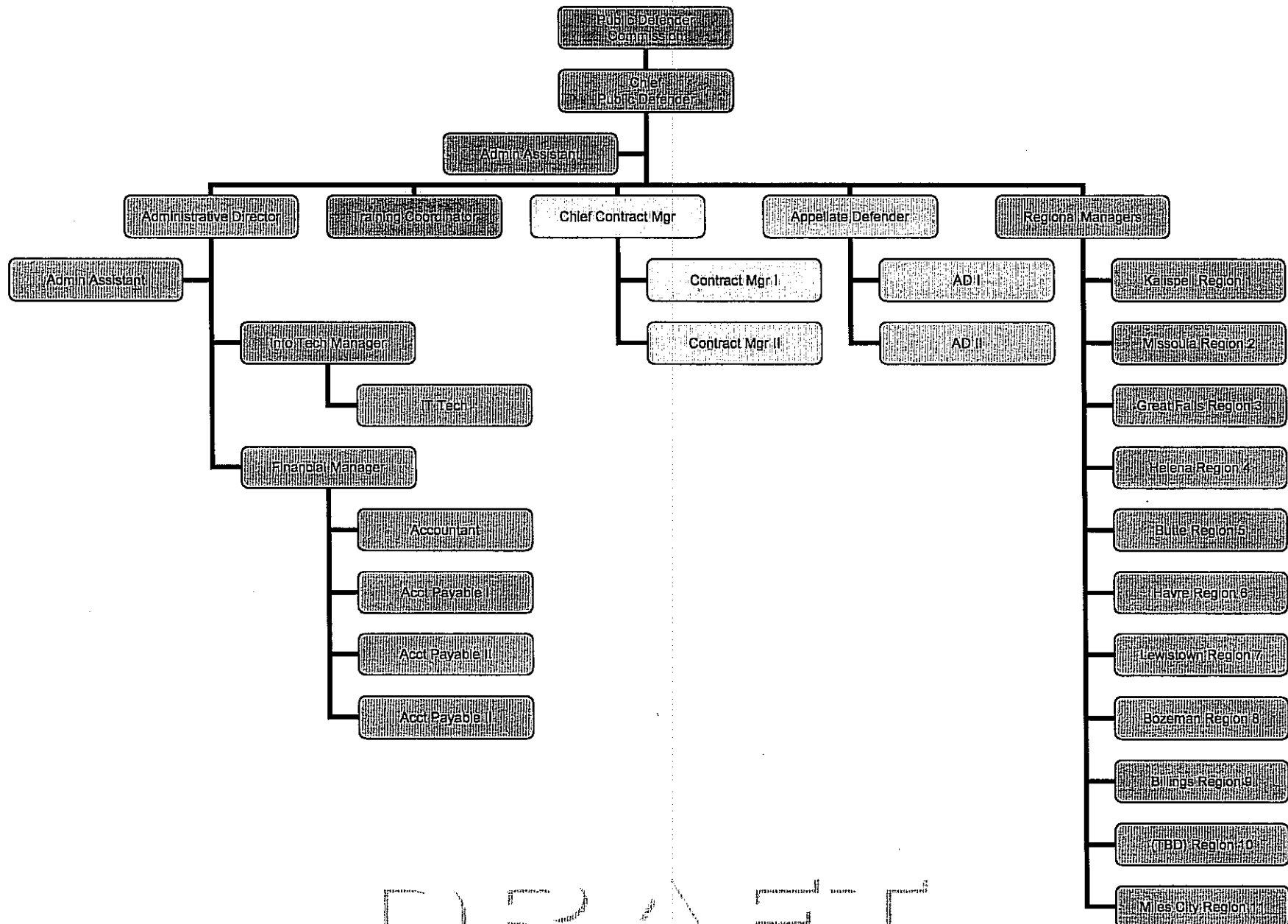


Project Summary



Deadline





DRAFT

RAVALLI COUNTY ATTORNEY

A FEW STATISTICS FROM 2004

DISTRICT COURT FELONY FILINGS (DC)

defendants

In 2004 there were a record-high 262 new felony criminal cases filed. This is an increase of 53 cases over the prior year. This does not include the many probation or parole violations (62) and post-conviction matters (12). 118 criminal complaint requests were also received and reviewed.

JUSTICE COURT MISDEMEANOR FILINGS:

In 2004 there were over 5,409 citations issued into Justice Court. Of those, over 700 defendants pled not guilty and had to be prosecuted by the County Attorney's office on one or more citations. This is a slight increase over last year, primarily in traffic-related offenses. Of the 700+ prosecuted, approximately 300 were DUIs and 85 were Partner Family Assault cases. These figures do not include over 100 complaint requests received and reviewed by our attorneys.

BAD CHECK CASES:

In 2004 the number of misdemeanor bad check cases that came through our office averaged approximately 240. Approximately 12 felony cases (values over \$1,000) were filed. Bad checks include collections for Ravalli County offices, as well as community merchants.

JUVENILE FILINGS (DJ)

In 2004 there were about 57 new cases and 25 re-opened.

MENTAL COMMITMENTS (DI/DD)

In 2004 there were 22 new cases filed. **This is three times the number of cases filed in 2003.** This does not include over 20 referrals that were evaluated but not filed.

ABUSE & NEGLECT (DN)

In 2004 there were 23 cases filed involving 39 children.

DEFENSE COSTS

In criminal prosecutions, according to State figures public defenders in Ravalli County were paid approximately \$378,178 for fiscal year 2004 for defense of felony criminal and juvenile matters in Ravalli County. This does not include payment for representation in DN cases.

**A PROPOSAL FOR THE ADMINISTRATION OF
THE PUBLIC DEFENDERS OFFICE OF RAVALLI COUNTY**

1. The situation in Ravalli County is that there are two district courts, two justice courts and three city courts, all of which require the services of public defenders for those accused of crimes that carry a penalty of incarceration. At present, public defenders are those lawyers who volunteer to be put onto a rotation and are assigned by justice court or city court for all misdemeanors. For a defendant accused of a felony, the justice court will accept the application for a public defender and assign one until the Initial Appearance in district court where it is either confirmed or denied by the district court judge.

There is no central coordinating point nor a point of contact for the public defenders who are all contract hourly pay attorneys. If a defendant has a complaint about his attorney, the defendant must petition the court for a hearing on whether or not the public defender will continue to represent the defendant. Further, if a judge has a problem with the way an attorney is performing his or her job, the judge has two choices: 1. Talk to the attorney directly about the problem, usually in an *ex parte* fashion, or report the attorney to the Commission on Practice.

Additionally, there are possible problems with those attorneys who take on public defender clients and either hint at or actually state that they will do a better job for the defendant if the defendant was to come up with the money to pay the attorney as a private pay attorney. Leaving no doubt in the mind of indigent defendants that if they only had enough money, they would be better served.

Another problem with the rotation method of assignment is that the attorney who may be best qualified to do a particular area of defense is not always going to be the next on the rotation. Since it is a steady rotation regardless of the amount of work involved, some attorneys may be overloaded while others simply review discovery and arrange for a suitable plea bargain.

Further, there is no standardized set of competency requirements for someone to be a public defender. Anyone with a law degree who has been admitted to the bar can ask to be put on the rotation and once they present proof of malpractice insurance, can be expected to handle everything from routine misdemeanors to complex drug conspiracy cases.

2. The legislative action which has established the Public Defenders Office is to take effect in July of 2006. At that time, all of the public defenders are to be controlled from regional sub offices, the one for Ravalli County being in Missoula, with a satellite office in Hamilton. In order to adequately staff the office with full time lawyers will require parity with the number of attorneys that the prosecution has at a minimum.

Parity is necessary because in order to do a good job, a defense attorney has to have the time to think about what else could it be. A prosecutor has the advantage of the police force doing the work and presenting the case to be filed. At any trial, the prosecution has only to call the police and have them repeat their observations. Some prosecutors even make it a point of

pride that they will not look at a file until right before trial, and still expect to win.

A good defense attorney has to investigate and confirm the accounts as related by the police reports, and at the same time examine every legal issue for exoneration, or lacking that, mitigation. Further, the defense attorney must be well versed on the current state of the law, and be prepared to raise objections at the right time to any objectionable acts that the prosecution engages in.

Using parity as an example for the staffing of a public defenders office in Ravalli County would require a satellite office head of public defenders and five other attorneys (3 of which would be involved as well as the head with misdemeanors and felonies, 1 for youth and civil commitments, and 1 for the three city courts). Additionally, the office would require at least three support staff and an investigator. As you can see, the costs to do the job right are starting to skyrocket. Throw on the costs for overhead, rent, equipment, salaries, fringe benefits, taxes, etc., and the cost could easily approach one half of a million dollars every year.

PROPOSED SOLUTION

Because it is financially impractical to staff an office at the required levels, it is to be expected that the current situation of using contract attorneys with private side practices will have to continue. This will still require the private attorneys to provide the costs of their overhead such as rent, phones, malpractice insurance, etc. However, the current situation is not without its shortcomings as noted above.

My proposal is to create a half time position of head public defender of Ravalli County. This position should be filled by an experienced criminal defense attorney who will be responsible for the oversight of the public defender program in Ravalli County. That person will be responsible for the selection of qualified attorneys to represent the indigent defendant. He or she will also assign cases to the contract attorneys based on their expertise, case load and willingness to handle the case. The head should also use a conflict checking program to eliminate potential conflicts of interest. In addition, the person chosen for this position will have to act as the first step intermediary for problems between the defendant and the attorney. He or she will also have to be the interface for judges who have concerns about the attorney, and act as the Chief Public Defender's liaison with the local county commissioners, and anyone else that the Chief Public Defender so designates.

While this position is half time, it is expected to be primarily administrative in nature, and that the head will only act as a defendant's attorney in cases where there are shortages of available attorneys, or if too many attorneys are disqualified due to conflicts. The head will be responsible for maintaining budget discipline, allocating resources such as investigators, or coordinating with the Chief Public Defender for expert witnesses. He or she should also act as a mentor to the newer public defenders, and help to develop their skills to better represent the indigent. To that end, the head public defender should develop and implement ongoing in house training, and ensure that all defense attorneys are made aware of potential CLEs for professional development. Further, the head public defender needs to have the authority to remove a contract attorney from further work as a public defender based on the head public defender's opinion that the attorney does not meet the minimum standards.

To assist the head public defender, there will need to be a full time administrative assistant who will be the first to get the cases and do a preliminary conflict check. The administrative assistant should also have access to all of the contract attorneys calendars in order to minimize conflicts. He or she should also be responsible for taking initial complaints from the client, maintain case registers, and supervise the time sheet requirements for payment.

The benefits of this proposal are that it would be cheaper in the long run than having 6 full time attorneys and requisite staff, while at the same time improving the current situation, which is wholly inadequate at this time.

Respectfully submitted:

Steven N. Eschenbacher

Comments from Don Judge - Representing Trustees

Employees have two general questions with subsets:

(1) What is the Time frame for

- advertising for jobs
- applications due
- Interviews
- hiring or denial notification
- starting date(s)

(2) How will you deal with current employees regarding insurance

- meeting deductibles (do they start over)
- pre-existing condition coverage
- current treatments either medication or physical

3rd Question

How will jobs be advertised

- newspapers
- letters to current employers
- all Montana Attorneys
- publications
- etc.

REPRESENTATION STANDARDS FOR APPELLATE ADVOCACY

GOAL: To actively and effectively represent clients in the appellate process by presenting for appellate review all legal issues that have a reasonable probability of resulting in reversal of the client's conviction or improving his or her legal position. Attorneys representing appellants shall comply with the general standards for public defenders as well as these specific standards.

I TRAINING

- A. The attorney will receive a minimum of _____ hours of training specific to the Rules of Appellate Procedure including acceptable pleadings, deadlines, and citations to the record and authority, procedural and substantive legal issues and applicable rules of professional conduct.
- B. Counsel shall reserve regular time to keep current with the statutes rules and cases regarding both procedural and substantive legal issues.
- C. Counsel shall participate in regular training events – whether as an instructor or student – and shall endeavor to grow professionally to the benefit of his or her clients.

II HANDLING THE CASE¹

- A. As soon as feasible after conviction, appellate counsel should confer personally with the Appellant to discuss the case. Counsel should explain the meaning and consequences of the court's judgment as well as the right to an appeal and a general outline of the appellate process.
- B. Counsel shall, within the time frame set forth in the Rules of Appellate Procedure, request all transcripts and case records.

¹ These standards assume that trial counsel has filed all appropriate post-trial motions as well as a Timely Notice of Appeal.

- C. Counsel shall promptly review all transcripts and case records and discuss the matter with trial counsel.
- D. After reviewing the record, counsel should confer with the appellant and discuss, whether in his or her professional judgment there are meritorious grounds for appeal and the probable results of an appeal. Counsel should explain the advantages and disadvantages of an appeal. The decision whether to proceed with the appeal must be the defendant's own.
- E. Counsel shall be diligent in expediting the timely submission of the appeal and shall comply with all applicable rules regarding conduct, pleadings, deadlines, and citations to authority.
- F. Counsel shall not abandon an appeal solely on the basis of his or her own determination that the appeal lacks merit but, rather, should advance any sound basis for changing the law. If, after conscientious analysis, counsel determines that there are no non-meritorious grounds for appeal counsel should follow the procedures outlined in Anders v. California, 386 U.S. 738 (1967) and §46-8-103 MCA.
- G. If counsel, after investigation, is satisfied that another lawyer who served in an earlier phase of the case did not provide effective assistance, and those facts appear on the record, he or she should seek appellate relief for the client on that ground. If counsel is satisfied that a prior attorney did not provide effective assistance and the facts do not appear on the record, counsel should advise the client regarding post-conviction rights and, if the appeal is not successful, file the appropriate post-conviction petitions.
- H. After exercising independent professional judgment, which may include omitting issues too weak or tenuous to secure relief or distractive of superior claims, counsel should assert claims which are supported by the record and which will benefit the client if successful.
- I. Counsel should be scrupulously accurate in referring to the record and the authorities upon which counsel relies in the briefing and oral argument.

- J. Counsel should seek editing assistance and legal feedback from at least one other attorney before filing a brief or a substantial motion. If oral argument is granted counsel should prepare appropriately, including participating in a moot court session.
- K. Counsel shall periodically apprise the client of the progress of the case and copy the client on all pleadings filed or received.
- L. When an opinion is issued counsel shall promptly communicate the outcome to the client and explain remaining remedies – including the right to post-conviction relief – and the scope of further representation. This information, with particular emphasis on applicable deadlines, should be memorialized in a letter to the client.
- M. Counsel shall apply professional judgment when determining whether to file a petition for re-hearing or a petition for certiorari to the United States Supreme Court. If counsel believes that the client has a valid claim of ineffective assistance of counsel he or she should conduct the appropriate investigation and file a timely petition for post-conviction relief.
- N. When counsel's representation terminates, counsel shall cooperate with the client and any succeeding counsel in the transmission of the record, transcripts, file, and other information pertinent to post-conviction proceedings.

REPRESENTATION STANDARDS FOR POST-CONVICTION PROCEEDINGS

GOAL: To actively and effectively represent clients in post-conviction proceedings by evaluating the case, conducting the appropriate investigation, and presenting all factual and legal issues that have a reasonable probability of resulting in the vacation of the client's conviction or materially improving his or her legal position. Attorneys representing clients in post-conviction proceedings shall comply with the general standards for public defenders as well as these specific standards.

I TRAINING

- A. The attorney will receive a minimum of _____ hours of training specific to the representation of clients in the post-conviction process.
- B. Counsel shall become familiar with the applicable statutes and case law. Counsel shall be familiar with deadline issues, acceptable pleadings, as well as the procedural issues and substantive legal issues relating to the post-conviction process.
- C. Counsel shall reserve regular time to keep current with the statutes rules and cases regarding both procedural and substantive legal issues.
- D. Counsel shall participate in regular training events – whether as an instructor or student – and shall endeavor to grow professionally to the benefit of his or her clients.

II HANDLING THE CASE

- A. As soon as feasible after appointment, counsel should confer personally with the client to discuss the case. Counsel should explain the scope of and procedures applicable to the post-conviction process.
- B. Counsel shall promptly request all transcripts and case records and shall conduct an appropriate investigation and interview relevant witnesses.

- C. Counsel shall promptly review all transcripts and case records and discuss the matter with trial counsel as well as appellate counsel and conduct other appropriate investigation into matters that are not of record.
- D. After reviewing the record and conducting the appropriate investigation, counsel should confer with the client and discuss, whether in his or her professional judgment there are meritorious grounds for filing a petition for post-conviction relief, including a petition for DNA testing, and probable results of pursuing this avenue. Counsel should explain the advantages and disadvantages of pursuing post-conviction relief.
- E. If counsel, after investigation, is satisfied that another lawyer who served in an earlier phase of the case did not provide effective assistance he or she should seek post-conviction relief for the client on that ground.
- F. After exercising independent professional judgment, which may include omitting issues too weak or tenuous to secure relief or distractive of superior claims, counsel should assert claims which are supported by the record and which will benefit the client if successful.
- G. Counsel shall be diligent in expediting the timely submission of the petition for post-conviction relief, keeping in mind the corresponding federal requirements for habeas corpus relief, and shall comply with all applicable rules regarding conduct, pleadings, submission of supporting evidence, deadlines, and citations to authority.
- H. Counsel should be scrupulously accurate in referring to the record and the authorities upon which counsel relies in the briefing and oral argument.
- I. Counsel should seek editing assistance and legal feedback from at least one other attorney before filing a brief or a substantial motion and shall prepare appropriately for hearings including interviewing and subpoenaing witnesses and locating, obtaining, and preparing to present the appropriate evidence.

- J. Counsel shall appear with the client at his or her hearing for post-conviction relief, and/or DNA testing, and present the witnesses, exhibits, and arguments that, in his or her professional judgment, are most likely to result in relief for the client.
- K. Counsel shall periodically apprise the client of the progress of the case and copy the client on all pleadings filed or received.
- L. When an opinion is issued counsel shall promptly communicate the outcome to the client and explain remaining remedies and the scope of further representation. This information, with particular emphasis on subsequent deadlines, should be memorialized in a letter to the client.
- M. Counsel shall apply professional judgment when determining whether to file an appeal, a petition for habeas corpus relief in federal court, or a petition for certiorari to the United States Supreme Court.
- N. When counsel's representation terminates, counsel shall cooperate with the client and any succeeding counsel in the transmission of the record, transcripts, file, and other pertinent information.

REPRESENTATION STANDARDS FOR SENTENCE REVIEW

GOAL: To actively and effectively represent clients in the sentence review process by evaluating the case and giving the client appropriate advice as to whether to pursue sentence review and, if the client elects to proceed, to present all information and arguments supporting the imposition of a more favorable sentence. Attorneys representing clients in sentence review proceedings shall comply with the general standards for public defenders as well as these specific standards.

I TRAINING

- A. The attorney will receive a minimum of _____ hours of training specific to the representation of clients in the sentence review process.
- B. Counsel shall become familiar with the rules of the Sentence Review Division as well as the applicable statutes and case law.
- C. Counsel shall become familiar with the range of sentences imposed for a particular offense and the factors that have affected the imposition of a particular sentence within that range as well as with methods of accessing that information.

II HANDLING THE CASE

- A. If a client receives a qualifying sentence trial counsel shall advise the client of the right to sentence review and giving the client appropriate advice as to whether to pursue sentence review.
- B. Counsel shall advise the client that upon review, and within the limits fixed by law, his or her sentence may be raised, lowered, or remain the same. Counsel shall discuss with the client whether in his or her professional judgment there is a reasonable chance of obtaining a more or less severe sentence. Counsel should explain the advantages and disadvantages of proceeding to sentence review. The decision whether to proceed with sentence review must be the defendant's own.

- C. If the client decides to proceed to sentence review, counsel shall assist him or her in filing a timely application for sentence review.
- D. Counsel shall gather and review all information relevant to the sentencing determination including, presentence reports, and any other records, documents, or exhibits relevant to the review proceedings.
- E. Counsel shall conduct an appropriate investigation and interview relevant witnesses.
- F. Counsel shall make an evaluation as to whether the client's sentence is more or less harsh than sentences for similar offenses and shall determine what factors distinguish the client's case either positively or negatively.
- G. Counsel shall appear with the client at his or her sentence review hearing and present the witnesses, exhibits, and arguments that, in his or her professional judgment, are most likely to result in a sentence reduction.

STUDENT PRACTICE RULES REQUIREMENTS

MONTANA RULE (State Courts)

- Must have completed 2/3's of the credit hours required for graduation minus five (i.e. 55 hours).
- Certify in writing that you have read, are familiar with, and will abide by the Code of Professional Responsibility.
- Be introduced to the court by an attorney admitted to practice in that court.
- No compensation.
- Client must consent in writing, and consent must be filed.
- Supervising attorney must approve appearance in writing, and approval must be filed. (Done in MDP by co-signing.)
- In criminal cases, where the student represents the State, the prosecutor must approve in writing, and approval must be filed.
- Supervising attorney must be personally present in court:
 - (a) In any criminal matter in which the defendant would have a right to appointed counsel.
 - (b) In any case before the Montana Supreme Court.
 - (c) In any other matter, criminal or civil, when directed by the judge, magistrate, or referee.
- Other acts:
 - (a) Prepare pleadings and other court documents, which must be co-signed by supervising lawyer.
 - (b) Prepare briefs, etc. in state appellate courts; these must be co-signed by supervising lawyer.
 - (c) Advise, counsel, negotiate, etc., after consultation and with approval of supervising lawyer. Negotiated agreements are subject to approval of supervising lawyer.

YEARLY COUNT REPORT
 Cases - Case Type by First Opened Date for 2005 Excluding AAO, AFAO, CL, WD
 01/19/2006 @ 11:14AM

Roosevelt County

EXHIBIT 13
 Page 1

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	
DA									1				1	DA
DC	1	1	4	2	1	8	2	3	7	3	1	2	35	DC
DD														DD
DF														DF
DG	1							1			1		3	DG
DI	2									1	1		4	DI
DJ	2	4	1	1		3		4	1	1	2	2	21	DJ
DN	2						1						3	DN
DP	2	1		3		4	5	5	6	4	2	2	34	DP
DR	1	1	4	1		3	1		2		2	1	16	DR
DS														DS
DV	10	7	2	9	3	10	3	7	9	9	4	6	79	DV
IS														IS
ML	3	4	3	3	3	8	8	4	3	4	3	4	50	ML
SB						1							1	SB
SW														SW
TOTAL	24	18	14	19	7	37	20	24	29	22	16	17	247	TOTAL
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	

Simonton \$100,000
Ingram \$65-75,000
Cypulski 25,000



**STATE OF MONTANA ELEVENTH JUDICIAL DISTRICT
FLATHEAD COUNTY**

FLATHEAD COUNTY JUSTICE CENTER
920 SOUTH MAIN, KALISPELL, MONTANA 59901

District Court Judges

Ted O. Lympus
(406) 758-5906

Katherine R. Curtis
(406) 758-5906

Stewart E. Stadler
(406) 758-5906

Bonnie J. Olson
Court Administrator
(406) 758-5665

January 19, 2006

Public Defender Commission
c/o Steve Nardi

RE: 11th Judicial District Court

Dear Commission Members:

We have been following the progress of the Commission through your website as well as informal discussions with our local member, Steve Nardi. Given our own experience with state assumption under SB 176 some three years ago, we certainly understand the overwhelming task that you have undertaken.

As you well know, currently the 11th District is utilizing public defenders who are not a part of an official public defender office. Many of our current public defenders have served our District for many years. They bring a working experience to the table for our District which will be hard to match. We believe that the procedural knowledge, experience and working relationships that have been established by these public defenders are invaluable to our District, and enable these men and women to provide effective representation to their clients.

Each year, we schedule 9 criminal jury terms (three per judge) with approximately 70-80 cases per term. In 2005, 575 felony criminal cases, 170 juvenile cases, 56 dependent neglect cases and 79 mental health cases were filed in this District. Additionally, 259

Public Defender Commission
January 19, 2006
Page Two

petitions to revoke sentence were filed. These district court cases were all handled by 10 full or part time public defenders. The Flathead County Detention Center currently holds 102 inmates, although it was built to house 85, and the majority of these inmates are awaiting trials and/or dispositions in their cases.

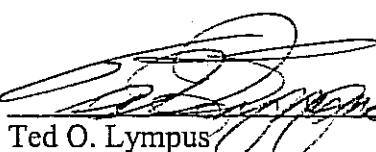
Most importantly, on July 3, 2006, a criminal jury term begins in Judge Curtis' court. The Omnibus Hearings for these cases are scheduled for May 18, 2006, with Pretrial Conferences on May 25, 2006. Jury trials will be set for dates certain within that July term immediately following the Pretrial Conferences.

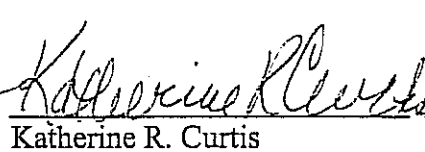
In addition to our criminal trial terms, this District has 9 civil jury terms and 10 non-jury terms each year. We conduct contested criminal day every Thursday and hear juvenile and dependent neglect matters every Friday. Because of our case load, it is impossible for us to reschedule trial terms, and it is also very difficult to schedule jury trials outside a trial term.

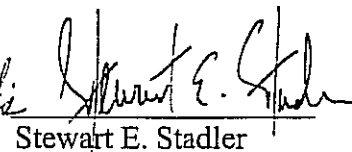
Our concern is that all criminal defendants, but especially those currently in detention, be afforded the right to a speedy trial and that the cases scheduled for trial on July 3, 2006, can go forward with appropriate representation. It is critical to us to have a smooth transition with effective representation being provided to these clients.

It is our understanding that no formal decision has been reached regarding the public defender system that will be established in our district. While we understand the complexities and challenges you face in the organization of a new statewide system, we ask that you carefully consider all options and then make a decision which enables the clients to be served effectively and efficiently with as much continuity as possible for them and all the other persons and agencies involved in or impacted by the criminal justice system.

Sincerely,


Ted O. Lympus
District Judge


Katherine R. Curtis
District Judge


Stewart E. Stadler
District Judge



JustWare Defender™

EXHIBIT 15 a

JustWare Defender is specifically designed for the unique case and workflow requirements that public defenders face today.

central name/party database >> One of the core designs of any JustWare software solution is the central party database; prosecutors, clients, public defenders, judges, parties related in a case, organizations, aliases and businesses are entered into JustWare and linked to cases, other names, attorneys, events and more. This central name information is used for future criminal history reports, conflict checks, document automation and statistical tracking.

unified case management solution >> Public Defenders require Microsoft Word and Corel WordPerfect forms for processing, web access, statistical reporting, accounting functions and laptop capability for all case types. JustWare Defender integrates all of these features, and it allows local agencies to control how they are configured. Since JustWare Defender is a unified case management application, criminal, civil, legal aid and other case types are managed by a single, easy-to-use application. Detailed security roles can be created to allow or restrict access to these case types; this allows users to take advantage of a central person database while not compromising security. JustWare Defender's flexible design allows agency-defined case types to exist to track cases such as criminal, civil, legal aid, mental health commitments and more. Use our security model to restrict access to these cases by divisions, users or agencies.

fast & integrated conflict searches >> JustWare Defender provides multiple ways to easily conduct quick and integrated conflict searches. Search for full names, last names, ID numbers, aliases, birth dates, social security numbers, drivers license numbers, case relationships (victim, client, co-defendant or witness) and client relationships (spouse or child). Our case involvement screen provides a detailed table showing how your witnesses, clients and public defenders have been involved in your office and to what cases they are linked.

attorney caseload reports >> Attorneys can generate case load reports for a quick visual view of their active cases. You define the format, fonts, information and criteria!

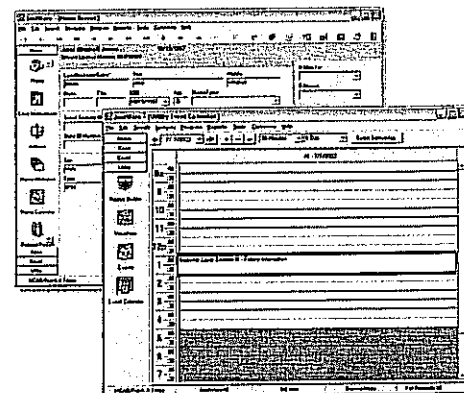
law enforcement officer case involvement tracking >> JustWare Defender customers are able to build better cases with the automatic links that are created between officers and cases. Build better cases and monitor officer case activity with quick and simple searches, automatic officer-to-case linking and detailed case involvement screens. Create agency-defined attributes and visual alert prompts on officer name records to assist in case preparation.

expert witness database >> The JustWare Defender application provides detailed, user-defined areas for maintaining and building your expert witness database. Track names and expertise and visually see related cases for case preparation.

EventEngine™ >> By far, one of the greatest advances in public defender automation software is our EventEngine. It allows you to define agency-specified rules for your case and docket workflow. The EventEngine allows case status, events,

documents and notifications to be linked to each other and timed events. For example, a case status change may trigger an event, which triggers a docket entry, which triggers a document five days later and an email notification to four subscribed employees. Your agency defines all of the unique event, document, notification and report triggers. Easily define statutory and locally mandated time standards with JustWare's EventEngine. Define the frequency with the system displays ticklers, alerts and prompts. Easily define automated event, calendar entry, case, intake and hearing rules. The EventEngine provides the perfect internal notification system. Subscribe to key events, cases and name information, or receive notification on cases to which you are linked or updates on the events from those cases.

automated document generation >> Word and WordPerfect document automation is easily accomplished with JustWare. Multi-page subpoenas, case cover sheets and simple letters are a cinch with JustWare. All the information stored in JustWare automatically populates these documents. This reduces data entry time and error. In conjunction with our EventEngine, JustWare's document automation can automatically trigger or be triggered by events or case status changes.



system flexibility >> New Dawn has always maintained that our customers should take ownership of their data, system and access. The flexibility of the JustWare Defender application gives you all the advantages of implementing a turn-key solution, such as regular releases, on-going maintenance and support and a nationwide user base, with the flexibility of a custom-developed application. Rename any system field, table or icon. Re-order access icons and hide screens. Completely control code tables, and add an unlimited number of additional user-defined name, case and charge fields for additional tracking purposes. Add additional icons linked to external programs, such as Westlaw, Lexis-Nexis, county websites, scanning applications and more.

virtual filing cabinet >> JustWare's Virtual Filing Cabinet gives you one location to link, store and access any case-specific file. Case documents, scanned documents and audio and video files are all easily viewed and accessed from within JustWare.

integrated brief bank, document and file searching through your web browser >> BriefLink™ is an indexing and searching JustWare Defender add-on component that allows detailed searching on briefs, documents and files that are electronically linked to JustWare cases. This gives office staff, attorneys and investigators a web browser-based application to easily search through legal briefs, court documents, scanned and OCR'd documents and electronic files that are attached to JustWare Defender case folders.

take your case management with you >> To address the needs of your staff investigators, administration, attorneys in the courtroom, intake staff or any JustWare user who requires access to case, name and file information from anywhere without a network or Internet connection, we created mobileync. From the car, courtroom, jail intake facility or from home, the mobileync JustWare add-on provides seamless, bi-directional synchronization with a laptop to your data in the office. Create case and name entry modification from your laptop, and when you get back in the office, mobileync synchronizes both databases without any user interaction. Mobile justice... take it with you!

statistical reporting capability >> The most valuable part of any software implementation is the data that is contained in the system. The information should outlast any appointed official, attorney or staff member. This integral

information will allow your office to evolve in the years to come. New Dawn has always maintained that this important data should be accessible and easily manipulated by our customers. The reporting tools provided with the JustWare Defender application will allow you to query, display and print out any agency, state, local or federal requirement. The system reports included will give you and your staff a head start on the types of data that can be extracted from JustWare. The best support staff in the industry will assist you in setting up additional reports for the future. JustWare's database is completely ODBC compliant which will allow any third party software application (including Microsoft Access, Microsoft Excel or Crystal Reports) to query and extract this information in various formats.

judge and disposition tracking >> Take advantage of JustWare Defender detailed disposition and judge linking features to run statistical reports or to get a quick view of judges dispositional history for case preparation and strategy.

master calendaring >> JustWare's Master Calendar provides a detailed day, week or month view of your case and personal events broken down by division, agency, court location and more.

integrated email capability or MAPI email capability>> JustWare includes an integrated email program to correspond with case and office specific individuals. All emails sent from the case automatically get tracked as case correspondence. If you have an email program preference for case and office specific correspondence, JustWare Defender allows any MAPI compliant email application to be used.

synchronize with Microsoft Outlook >> If you or your office is currently using Microsoft Outlook, JustWare can automatically export calendar and event data to your local calendar.

synchronize with Microsoft Windows CE devices >> If you use a Microsoft CE handheld device, then the synchronization power of JustWare's calendar can keep you up-to-date on office events.

Solutions Offered

JustWare Court™
JustWare Prosecution™
JustWare Probation Parole & Pre-Trial Services™
JustWare Defender™
JustWare Financials™
JusticeBroker™ - integrated justice solutions

Add-On Solutions Offered

mobileync™ - laptop synchronization
JusticeWebview™ - browser view of justice data
BriefLink™ - legal brief, document & file search

Service Offerings

1-800-free support
annual version releases
data conversion
document storage/writing services





EXHIBIT 15c

Let's face it, your day is filled with documents and legal briefs; you are continually searching for a past legal brief to assist you in creating the next legal document. If you are a prosecutor, public defender, or investigator, the documents and electronic files that you have stored over the years offer a wealth of information to assist you in your cases.

The paperless office is never completely paperless and finding a needle in a haystack is never easy. Take a step closer with New Dawn's BriefLink solution. BriefLink is an intuitive browser-based, brief-bank document and file searching JustWare Solution Suite add-on tool.

As your office staff, judicial staff, attorneys, and other staff members generate thousands of documents with JustWare's document automation capabilities, or they save and store electronic files to name and case records with JustWare's Virtual Filing Cabinet capabilities, BriefLink is continually indexing and providing you with a quick and easy-to-use, browser-based, brief bank, document and file searching tool for all office and case-associated documents and files.

Easily navigate through BriefLink's brief banks for rapid reuse of existing documents, or quickly locate the decisions or opinions that matter most to your current cases.

Build better cases as attorneys and investigators by having electronic access to your office's historical files such as electronic audio 911 calls, scanned information, video files, and documents.

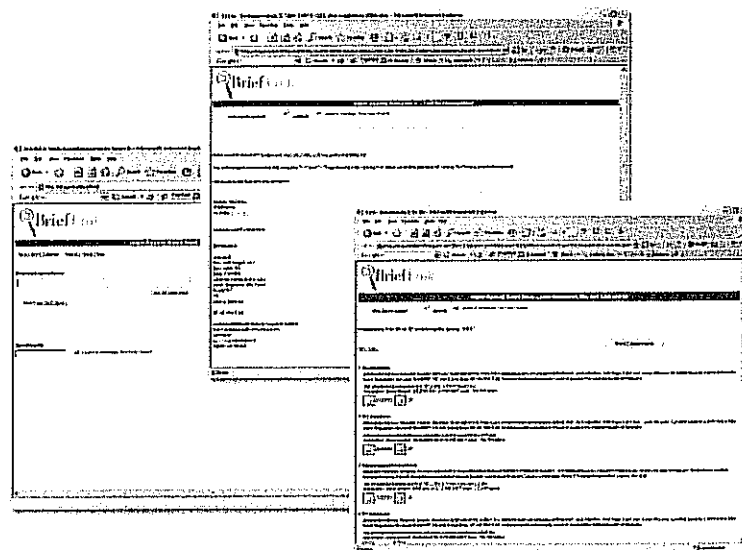
minimal training >> Thanks to the use of the Internet, odds are your staff is practically BriefLink trained. BriefLink's online query assistance will help with the rest. It will be available to your staff for assistance with complex queries to give them the tools they need to easily and quickly find key documents and files.

completely customizable >> BriefLink's look and feel is completely customizable by your agency. Use your agencies logo, graphics, colors, and more!

easy to understand & powerful queries >> BriefLink's queries are easy to understand, and they are extremely powerful. Search for words with the same prefix such as key, keying, or keyboard. Search for all forms of the word such as sinking, sink, sunk. Perform "and" "or" searches. Search by the last time the file or document was modified, document author, types of files, and more!

natural language queries >> BriefLink has the ability to utilize natural language queries. For example, attorneys or staff can type, "How do I prepare a motion in opposition to antipathy jury instructions?" BriefLink's software intelligence will extract nouns and noun phrases to construct the query for you.

great tool in statewide and multi-office implementations >> New Dawn Technologies currently has several statewide implementations of its JustWare solution. Take advantage of the documents created by a statewide group of attorneys and staff, and the information contained in those documents with robust, quick BriefLink searches in your web browser!



Features & Benefits

EXHIBIT 15d

vital tool for attorneys and legal staff >> Many of the attorneys and legal staff in your office may have had prior experience with brief banks. BriefLink provides a local agency mechanism to search for the historical documents and briefs that you and your counterparts have created.

great tool for investigators >> Use BriefLink to gather evidence by searching through files collected during electronic discovery. If documents, such as scanned and OCR'd evidence or other electronic files, are stored in your case folders, you immediately have a wealth of information at your fingertips!

summary of your document or file and highlighted displays of your search terms >> Much like a search on the Internet, BriefLink returns a set of documents or files that match your criteria, and then you are given a summary in order to logically select the document or file of interest. After selecting your document, your search term is visually displayed in the document for easy identification and to assist you in document preparation or evidence gathering.

conforms to JustWare's security roles >> BriefLink recognizes the value of limiting the information contained in documents and files to those who have permission to view them. JustWare conforms to tight security roles based on case types, agency, and divisions, and individual users.

search scanned (OCR'd) & Adobe Acrobat documents >> Search the contents of documents that have been scanned and OCR'd, or search for Adobe Acrobat documents by keyword.

search by author >> Search for documents that you or someone within your office has historically created!

search by file types >> Because JustWare's Virtual Filing Cabinet is robust, it allows you to electronically link and store any type of file to cases. The need may present itself for investigators and staff to historically reference files such as audio and video files from cases. BriefLink provides a quick solution to easily construct queries based on file types, dates, times and more!

secure Internet capabilities >> BriefLink's browser design provides complete and full access to JustWare case documents and files from any secure Internet connection.

full statute search >> BriefLink's searches can be constructed from full text searches. This provides a searching tool on key statutes and charges in order to get a quick synopsis of documents that fit your criteria.

server requirements >> BriefLink's optimized Indexing capability requires minimal bandwidth, server sizing or CPU usage. Most implementations can be run on the server where JustWare documents and files are stored.

Solutions Offered

- JustWare Court
- JustWare Prosecutor
- JustWare Probation, Parole, & Pre-Trial Services
- JustWare Defender
- JusticeBroker - Integrated justice solution

Add-on Solutions Offered

- mobilesync: laptop synchronization
- JusticeWebview: browser view of justice data
- BriefLink: legal brief, document, & file search

Service Offerings

- toll free support
- annual version releases
- data conversion
- document & report writing services





your view of integrated justice.

New Dawn Technologies recognizes the power of the Internet or your local Intranet in the criminal justice arena. It provides a common tool or thread among the various criminal justice agencies, giving them the ability to view and share vital information with each other.

The web browser is fast becoming the common software application that allows agencies with similar and disparate systems to interact with each other. New Dawn's JusticeWebview™ empowers JustWare™ and JusticeBroker™ users with the ability to access and share agency-defined information.

If you allow other criminal justice community agencies secure access to your criminal justice information, you can begin to soften the political barriers that often stall many data sharing projects. Let JusticeWebview be the first step in encouraging participants to electronically share and file information.

securely accessed >> Security is vital in any implementation of criminal justice access via the web. JusticeWebview access is completely based off of each individual query and view that you define. For example, only law enforcement staff, or even certain law enforcement staff members will have access to case information that is pertinent to them. Only JusticeWebview administrators will have access to define the web queries, users, agencies and passwords.

views of justice information defined by you >> Every JusticeWebview web query is defined by you. You define the format, look, function and secure location.

printable and Adobe PDF exportable >> Each query view is Adobe PDF exportable and printable. Users are able to print criminal histories, office calendars, event information and more!

web calendars and event information >> JusticeWebview is an ideal solution for office, personnel, court, attorney, judge and law enforcement calendars. You can easily define the format, date filters, event location and more.

With an Internet connection, you will be able to view calendar and event information from anywhere!

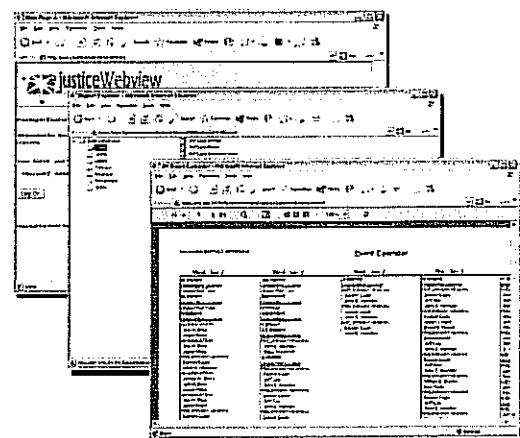
Internet Explorer & Netscape Navigator compatibility >> JusticeWebview uses the latest in XHTML technology ensuring that you can properly run, display and print JusticeWebview information from Internet Explorer and Netscape Navigator.

law enforcement access >> Reduce the number of phone calls from law enforcement by giving them access to their case information via their web browsers. Law enforcement calendars for subpoenaed events accessed via their web browsers can be created and totally defined by your criminal justice community.

Have law enforcement officers search to see a list of recent cases and dispositions. Search by law enforcement case number, victim, witness or defendant name . . . it is up to you!

Law enforcement access via JusticeWebview is often the first step in breaking down the political barriers that stall justice sharing and integration projects.

Ask a New Dawn Account Executive how we can include JusticeWebview to your agency at no cost if a law enforcement agency participates in the project!



investigator access >> JustWare and JusticeBroker offer a wealth of information to investigators. They allow secure access to law enforcement individuals or staff investigators to vital case, name, victim, witness or parties of interest information.

victim / witness views >> Victim/witness notification is a vital service that many prosecutor agencies offer to the community. Now you can offer a secure web location for victims and witnesses to get a quick view of upcoming case events.

attorney, judge and probation officer query >> JusticeWebview offers a great way for attorneys, judges and probation staff to get case status, office and personal calendars, events and active case information from a secure web location.

jail staff query >> Jail staff can easily query JusticeWebview to get a printable event list for incarcerated offenders for trial preparation.

can be launched and accessed through

JustWare™ >> JusticeWebview users can easily launch web queries directly from JustWare, the Favorites menu, or bookmark them for future access.

great view-only solution >> Many public defender, judicial, probation and parole or prosecution offices have existing procedural policies in place which limit certain internal office members to view-only case information access. JusticeWebview is the perfect solution for these staff members. You define the information accessible, the display, layout and more! Training is a snap with this web-browser interface!

server requirements >> Microsoft's Internet Information Server (IIS) is required. Depending on the size of your JusticeBroker or JustWare implementation it may be recommended to operate IIS on a separate server.

Solutions Offered

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